

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRIAN LYNGAAS, D.D.S.,)
individually and as the representative)
of a class of similarly-situated) Case No. 17-cv-10910
persons,) Hon. Mark A. Goldsmith
Plaintiff,)
)
vs.) CLASS ACTION
)
CURADEN AG, et al.,)
Defendants.)

**CURADEN AG'S NOTICE OF CROSS-APPEAL TO THE UNITED
STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT¹**

/s/ Brian S. Sullivan

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¹ LOCAL RULE CERTIFICATION: I, Brian S. Sullivan, certify that this document complies with Local Rule 5.1(a), including: double-spaced (except for quoted materials and footnotes); at least one-inch margins on the top, sides, and bottom; consecutive page numbering; and type size of all text and footnotes that is no smaller than 10-1/2 characters per inch (for nonproportional fonts) or 14 points (for proportional fonts). I also certify that it is appropriate length. Local Rule 7.1(d)(3).

NOTICE IS HEREBY GIVEN that Defendant Curaden AG, cross-appeals to the United States Court of Appeals for the Sixth Circuit from the appeal filed by Plaintiff (ECF No. 150) and specifically cross-appeals from the District Court for the Eastern District of Michigan's March 12, 2018 Order denying Curaden AG's Motion to Dismiss (ECF No. 44), the May 23, 2019 Opinion and Order (1) Granting In Part and Denying In Part Curaden AG's Motion for Summary Judgment; (2) Denying Plaintiff's Motion for Summary Judgment; (3) Granting Plaintiff's Motion to Certify Class; (4) Denying Without Prejudice Defendants' Motion to Exclude Plaintiff's Expert Witness; and (5) Denying Plaintiff's Motion to Postpone Ruling on Plaintiff's Motion for Summary Judgment (ECF No. 89), and the November 21, 2019 Opinion and Order Containing Findings of Fact and Conclusions of Law (ECF No. 129).

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via the Court's CM/ECF Electronic Filing System this 11th day of March, 2020, upon the following:

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